



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Bright et al.

Application Serial No. 09/405,839

Filed: September 27, 1999

Title: IMPROVED PLANT GERMPLOID

Confirmation No. 9963

Group Art Unit: 1638

Examiner: Georgia L. Helmer

#26
SP
12/19/02

* * * * *

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

DEC 17 2002

TECH CENTER 1600/2900

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Official Action [Restriction Requirement] dated October 18, 2002, Applicants elect without traverse Group I, Claims 27, 28, 38-45, 47-50 and 52 drawn to an expression system comprising recombinases.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, she is kindly requested to contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

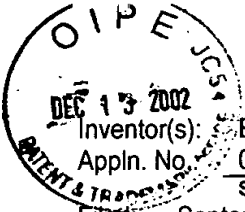
By: _____

Robert W. Hahl, Ph.D.
Registration No. 33,893

12/16/2002 MBERHE 00000095 033975 09405839
01 FC:1251 110.00 CH

1600 Tysons Boulevard
McLean, Virginia 22102
(703) 905-2000 Telephone
(703) 905-2500 Facsimile

Date: December 13, 2002
Attorney Reference: 070608/0263754



Group Art Unit 1638
Examiner: Georgia Helmer
Atty. Dkt. P 0263754
M# Client Ref

Inventor(s): Bright et al.
Appl. No. 09 405,839
Series Code ↑ Serial No. ↑
Filed: September 27, 1999

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Appl. Title: Improved Plant Germplasm

Hon. Commissioner of Patents
Washington, D.C. 20231

DEC 17 2002

TECH CENTER 1600/2900

Sir: REPLY/AMENDMENT/LETTER Date: December 13, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim
A. ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously
For B & C See Required Separate Paper (Pat-256)

1. Small Entity Claim		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
A. <input checked="" type="checkbox"/> NOT made		}							
B. <input type="checkbox"/> Withdrawn									
C. <input type="checkbox"/> made herewith									
D. <input type="checkbox"/> made previously									

2. Total Effective Claims		**minus	0	0	x \$18/\$9 =	+ \$0	103/203	
3. Independent Claims		***minus	0	0	x \$84/\$42 =	+ \$0	102/202	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)					add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: November 18, 2002		<input type="checkbox"/> NONE						
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =		+ \$110		115/215	
		(2 mos)	\$400/\$200 =				116/216	
		(3 mos)	\$920/\$460 =				117/217	
		(4 mos)	\$1,440/\$720=				118/218	
		(5 mos)	\$1,960/\$980=				128/228	
7. Enter any previous extension fee paid since above original due date and subtract					- \$0			
8.					Extension Fee	+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee					+ \$110/\$55	+ \$0	148/248	
10. If IDS attached requires Official Fee under Rule 97 (c),					+ \$180	+ \$0	126	
or if Rule 97(d) Request					+ \$180		126	
11. After-Final Request Fee per rules 129(a) and 17(r)					+ \$740/370	+ \$0	146/246	
12. No. of additional inventions for examination per Rule 129(b).....					x \$740/370 ea	+ \$0	149/249	
13. Request for Continued Examination (RCE)					+ \$740/370	+ \$0	1179/1279	
14. Petition fee for						+ \$0		

TOTAL FEE = \$110
PLEASE CHARGE DEPOSIT ACCOUNT

15.
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

CHARGE Deposit Account No. 03-3975
Our Order No. 070608 0263754
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

P.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000
Atty/Sec: RWH/kmh
Pillsbury Winthrop LLP
Intellectual Property Group
By Atty: Robert W. Hahl
Sig:
Reg. No. 33,893
Fax: (703) 905-2500
Tel: (703) 905-2251

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments